



SCHNEIDER WALLACE  
COTTRELL KONECKY LLP

Selendy|Gay

April 8, 2024

**Via ECF and E-mail**

Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2103  
New York, NY 10007

**MEMO ENDORSED**

**Re: *In re Tether and Bitfinex Crypto Asset Litigation, 19-CV-09236 (KPF)* –  
Letter Motion to File Letter Motion and Exhibits Under Seal**

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Pursuant to Rule 9 of this Court’s Individual Rules of Practice in Civil Cases, we write to request permission to file Plaintiffs’ April 8, 2024 Letter Motion (the “Letter Motion”) to File Public Versions of Plaintiffs’ October 24, 2023 Motion for Leave to File a Second Amended Complaint (the “Motion”) and Plaintiffs’ proposed Second Amended Complaint (the “SAC”) and to file exhibits to the Letter Motion under seal.

In compliance with the Court’s order, dated December 18, 2023, at ECF No. 511, Plaintiffs have reached out to the Anonymous Trader seeking to compromise on redacting certain information in the Motion and SAC. Plaintiffs and the Anonymous Trader have reached impasse regarding the Court’s orders and the proper redactions. Plaintiffs therefore seek to file the Letter Motion and the attached exhibits under seal in the first instance for the limited purpose of resolving this dispute.

Accordingly, Plaintiffs respectfully request leave to file Plaintiffs’ Letter Motion and exhibits attached thereto under seal.

Hon. Katherine Polk Failla  
April 8, 2024

Respectfully submitted,

*/s/ Andrew R. Dunlap*  
Philippe Z. Selendy  
Andrew R. Dunlap  
Oscar Shine  
SELENDY GAY PLLC  
1290 Sixth Avenue  
New York, NY 10104  
pselendygay@selendygay.com  
adunlap@selendygay.com  
oshine@selendygay.com

*/s/ Todd M. Schneider*  
Todd M. Schneider (*pro hac vice*)  
Matthew S. Weiler (*pro hac vice*)  
Mahzad K. Hite (*pro hac vice*)  
SCHNEIDER WALLACE COTTRELL  
KONECKY LLP  
2000 Powell Street, Suite 1400  
Emeryville, CA 94608  
tschneider@schneiderwallace.com  
mweiler@schneiderwallace.com  
mhite@schneiderwallace.com

*Interim Lead Counsel and Attorneys for  
Plaintiffs and the Proposed Class*

cc: All Counsel of Record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 539 under seal, viewable to the Court and the parties only.

The Clerk of Court is directed to terminate the pending motion at docket entry 538.

Dated: April 9, 2024  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE